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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THE CIT GROUP/SALES FINANCING, INC.,

Plaintiff,

MEMORANDUM & ORDER
07-CV-4308 (NGG) (CLP)

v.

DANIEL M. LEYSER, *in personam*, and
M/V VANISHING POINT, her engines,
tackle, apparel, appurtenances. etc.,
having Hull Serial No. FGQ47028H4956, *in rem*,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff Cit Group/Sales Financing, Inc. ("Plaintiff" or "Cit Group") brings this action against Defendant Daniel M. Leyser ("Leyser") and Defendant M/V Vanishing Point ("Vanishing Point"), a maritime vessel, under civil and admiralty law. By letter dated January 23, 2008, Plaintiff has requested a pre-motion conference and seeks to file a motion to compel Leyser to provide the current location of the Vanishing Point. (Letter from Kevin Laurilliard to the court, Docket Entry #5.) Plaintiff filed the Complaint on October 15, 2007, and Defendants have failed to enter an appearance in this case or respond to Plaintiff's request for a pre-motion conference despite having been served with the Complaint on November 12, 2007. (Docket Entries #3-4.) On January 17, 2008, Magistrate Judge Cheryl L. Pollak ordered the parties to provide a status letter to the court within thirty days of that Order.

Given Defendants' failure to appear in this action or respond to Plaintiff's letter, the court will dispense with the requirement of a pre-motion conference. Accordingly, Plaintiff is granted

leave to file its motion by February 15, 2008. If Defendants fail to appear or file a response by February 22, 2008, the court will deem Defendants to be in default and will decide Plaintiff's motion on submission.

SO ORDERED.

Date: January 25, 2008
Brooklyn, New York

/signed/

NICHOLAS G. GARAUFI
United States District Judge